

Tina

AGENDA

**Ad Hoc Committee on Billboards
Tuesday, March 31, 1998 – 10:00 a.m.
Tenth Floor Conference Room
Lansing City Hall**

Councilmember Sandy Allen, Chair

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
- 4. PUBLIC COMMENT ON AGENDA ITEMS**
- 5. DISCUSSION/ACTION**
 - A. Alcohol Advertising**
 - B. On-Premise – Off-Premise**
- 6. OTHER**
- 7. ADJOURN**



• **TONY BENAVIDES**
President
Third Ward

JOAN BAUER
Vice President
At Large

March 24, 1998

Dear Ad Hoc Committee on Billboard Member:

Enclosed is information relative to the next meeting for your review.
Please bring this data with you to our next meeting which is scheduled
for:

Tuesday, March 31, 1998

10:00 a.m.

Tenth Floor City Hall

• **SANDY ALLEN**
Second Ward

• **ELLEN BEAL**
At Large

If you have any questions, please do not hesitate to contact me.

Sincerely,

• **HAROLD J. LEEMAN, JR.**
First Ward

Tina M. Gallante
Administrative Secretary
Lansing City Council

• **LARRY MEYER**
At Large

Cc: Councilmember Sandy Allen, Chair, Ad Hoc Committee on Billboards
Jack Roberts, Law Department
Jim Ruff, Planning Division

• **MICHAEL C. MURPHY**
Fourth Ward

Tenth Floor City Hall
124 W. Michigan Ave.
Lansing, MI 48933
517-483-4177
FAX 517-483-7630



**interoffice
MEMORANDUM**

To: RICK LILLY, CHAIR OF DEVELOPMENT AND PLANNING COMMITTEE

From: JOHN M. ROBERTS JR., DEPUTY CITY ATTORNEY

Subject: PROPOSED SIGN CODE AMENDMENTS

Date: DECEMBER 9, 1997

I. FDA (In the works)

- A. Proposed Federal Preemption banning outdoor advertising includes billboards and store windows:
- ▶ limits to within 1,000 feet of school and publicly-owned playground
 - ▶ permits waivers from preemption based on state and local compelling conditions
- B. Federal District Court has upheld FDA ban on machines and labeling but said FDA is without jurisdiction on the advertising
- ▶ both appealed
 - ▶ status of appeal is injunction pending appeal

II. Baltimore (Lessons from its ordinances)

- A. Baltimore's ordinances are aimed to curb underage drinking/smoking
- B. It kept in mind the four-pronged test established by the U.S. Supreme Court for commercial speech
1. Is the speech related to an unlawful activity? (if not, then go on)
 2. Is asserted governmental interest substantial?
 3. Does the regulation directly advance the governmental interest asserted?

4. Is (the regulation) more extensive than necessary to serve that interest?
- C. The principal counsel in the City of Baltimore case advises that before enacting the ordinance, a legislative record must be made to support that the ordinance will directly advance the stated purpose.
- D. For the City's proposed ordinance, I believe it necessary to recognize the purpose of the ordinances are:
 1. To reduce underage drinking
 2. To reduce underage smoking
 3. To revise the sign code related to billboards by:
 - a. technical corrections to existing code
 - b. other
 - The ordinance must be sufficiently tailored to these goals
- E. Then the next step is collection of information to support the need for the separate ordinances.
 - Baltimore's ordinances were supported by a legislative record consisting of:
 1. Extensive preamble to ordinance with law supporting it advertising effect on use
 2. Social science reports
 3. Public testimony considered before enactment

MINUTES

**Committee on Development and Planning
Tuesday, December 9, 1997 -- 3:00 p.m.
Tenth Floor Conference Room
Lansing City Hall**

Call To Order

The meeting was called to order at 3:10 p.m. by Councilmember Lilly.

Roll Call

Councilmember Rick Lilly, Chair
Councilmember Sandy Allen, Vice Chair
Councilmember Joan Bauer, Member

Others Present

Rick Imstag, Skyline Outdoor
Jon Kane, Adams Outdoor
Melissa Randt, Adams Outdoor
Drew Cataldo, LRCC
Alfreda Schmidt, SLBA
Suzy Carter, SLBA
Amy Moore, Capital Coalition
Mike Saunders, Scenic Michigan
Judy Stewart, American Cancer Society
Steve Springer, American Lung Association
Stephanie Whitbeck, HDC
Jim Ruff, Planning Division
Michael Smith, Citizen
Jack Roberts, Law Department
Dave Holliday, Distilled Spirits Council
Lorenzo Lopez, COCO'S
Susan Cady, American Cancer Society
Councilmember Paul Novak
Tina Gallante, Council Staff

ADJOURN

The meeting was adjourned at 6:30 p.m.

Submitted by,

Tina M. Gallante
Administrative Secretary
Lansing City Council

Approved by Committee.

Signed by: _____
Rick Lilly, Chair

Documents attached to the original minutes.

OUTDOOR ADVERTISING ASSOCIATION OF AMERICA CODE OF ADVERTISING PRACTICES




Outdoor advertising delivers an advertiser's message to the consumer. This role in the arena of public discourse requires both a vigilant defense of free speech and a sensitivity to contemporary standards and concerns. OAAA recognizes the need to balance these demands and recommends that each OAAA member company formally adopt standards that reflect the following code of advertising practices:

1. Establish exclusionary zones which prohibit adult product advertisements that are intended to be read from, or within 500 feet of established places of worship, primary and secondary schools and hospitals.
2. Establish voluntary limits on the number of billboards in a market that may carry messages about products that cannot be sold to minors.
3. Continue to assert the right to reject creative content that is in poor taste, misleading, sexually explicit or overly suggestive.
4. Intensify our traditional commitment at both the national and local levels to display public service messages from nonprofit organizations.
5. Encourage greater diversity of advertised goods and services in all markets.

An international children's symbol has been adopted by the OAAA to mark billboards that are off-limits to any product or service illegal for sale to minors. To date, over 20,000 decals have been posted nationwide by OAAA member companies.

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Feb.,1998 \ Lansing Billboard Content
Scenic Michigan Review
Proposed City of Lansing Billboard Ordinance Revision

Content:	%	Lansing Ads:	Non - Lansing Ads:
Alcohol:	4.1	-	14
Banking \ Finance	7.0	24	-
Commercial:			
Auto Sales \ Repair:	3.8	13	-
Insurance:	3.6	12	-
Home Improvement:	.6	2	-
Other Commercial:	16.6	28	29
Communications:	-	-	-
Gas Stations:	.9	3	-
Gov. Services \ Programs:	9.3	12	20
Education Services \ Prog.:	5.0	17	-
Food \ Stores:	9.6	33	-
Health Care:	7.3	25	-
Lodging:	-	-	-
Media:	2.3	8	-
Misc.:	2.0	7	-
Non – Profits	3.5	12	-
Outdoor Advertising:	1.2	4	-
Political:	-	-	-

Feb.,1998 \ Lansing Billboard Content
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Content:	%	Lansing Ads:	Non - Lansing Ads:
Recreation:	6.7	23	-
Restaurants:	3.5	12	-
Special Events:	2.3	8	-
Tobacco:	7.9	-	27
Blank:	2.9	10	-
		253	90
		74%	26%
		Total	343

Billboard Advertisers \ Windshield Review \ Feb. 14,1998
Scenic Michigan Review
Proposed City of Lansing Billboard Ordinance Revision

Alcohol:(14)

Amstel (1)
Canadian Mist Whiskey (7)
Kessler Whiskey (2)
Labatts Blue (4)

Banking \ financing: (24)

Citizens Bank (13)
Common Point Mortgage (2)
Community First Bank (2)
Lansing Auto Makers Credit Union (7)

Commercial:(84)

Auto Sales \ Service: (13)

Campus Ford (2)
Capitol Cadillac (3)
Jiffy Lube (1)
Kelly Jeep (4)
Liskeys Repair (1)
Mason Auto Body(1)
Spartan Toyota (1)

Insurance: (12)

Auto Owners (2)
Citizens Bank (9)
State Farm(1)

Home Improvement: (2)

Rycus Flooring (2)

Other Commercial: (57)

Belens Flowers (2)
Country Stitches (1)
Curtis Drugs (1)
Deans Milk (6)
Deja Vu Love Boutique (1)
Eyde Bros. (1)
First Class Jewelry (1)
Gillette Travel Center (3)
Hawaiian Spa (1)
Heet Motor Additive (1)
High Yield Bonds (1)

Other Commercial Con't

Jon Anthony's (4)
Kositcheks Men's \ Women's Clothing (3)
Michigan Apples (3)
M&M Candy (2)
Milk (23)
Pawnbrokers (1)
Radio Shack (1)
ZOZ (1)

Communications: (0)

Gas: (3)

Mobil (1)
Sinoco (2)

Government Programs \ Ser.: (32)

Air Force (9)
Buckle Up (2)
City Of Lansing (1)
Focus on the Family (2)
Lansing City Market (2)
Potter Park Zoo (3)
United States Marines (9)
911 (2)

Education Programs \ Ser.: (17)

Junior Achievement (3)
Lansing Catholic Schools (6)
Lansing Community College (1)
M.S.U. Museum (3)
M.S.U (1)
Waldamere Nature Center (3)

Food Sales: (33)

Kroger (2)
Meijer (1)
Quality Dairy (30)

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Health Care: (25)

Crib Death (2)
Ingham Regional Medical Center (4)
Implant Dentistry of Greater Lansing (5)
Opthmologists (7)
Pearlevision (6)
PHP (1)

Lodging: (0)

Media: (8)

Classic Rock 94.1 (1)
Fox 47 T.V. (5)
Lansing State Journal (1)
WITL 100.7 (1)

Misc.: (7)

Employment Group (1)
Lansing City Club (1)
Mich. Society of Automotive Engineers \ Seat Belts (5)

Non-Profit: (12)

American Lung Assoc. (8)
United Way (3)
YMCA (1)

Outdoor Advertising: (4)

Adams (4)

Political: (0)

Recreation: (23)

Boars Head (12)
Highland Hills (1)
M.S.U. Wharton Center (10)

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Restaurants: (12)

Chop Chop (2)
Manceno`s (3)
Mc Donalds (3)
Point After (1)
Silver Screen Cafe (1)
Sir Pizza (1)
Wendys (1)

Special Events: (8)

Bridal Show (1)
Caravan Circus (4)
Gun, Knife Show (1)
Shipsewana Craft Sales (2)

Tobacco: (27)

Basic (7)
Kools (11)
Marlboro (5)
Winstons (4)

Blank: (10)

Adams (4)
Sky Line (1)
Outdoor Systems (5)

Jan.,1998 \ Lansing Billboard Content
Scenic Michigan Review
Proposed City of Lansing Billboard Ordinance Revision

Content:	%	Lansing Ads:	Non- Lansing Ads:
Alcohol:	3.3		11
Banking \ Finance	6.6	22	-
Commercial:			
Auto Sales \ Repair:	3.0	10	-
Insurance:	5.1	17	-
Home Improvement:	.6	2	-
Other Commercial:	16.4	55	-
Communications:	0.3	1	-
Gas Stations:	1.8	6	-
Gov. Services \ Programs:	8.6	-	29
Education Services \ Prog. :	5.1	17	-
Food \ Stores:	0.3	1	-
Health Care:	7.8	26	-
Lodging:	-	-	-
Media:	2.4	8	-
Misc.:	-	-	-
Non – Profits:	7.7	26	-
Outdoor Advertising:	0.6	2	-
Political:	-	-	-

Jan.,1998 \ Lansing Billboard Content
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Content:	%	Lansing Ads:	Non - Lansing Ads:
Recreation:	4.7	16	-
Restaurants:	3.6	12	-
Special Events:	8.3	28	-
Tobacco:	9.9	-	33
Blank:	3.9	13	-
		262	73
		78%	22%
		Total	335

Billboard Advertisers \ Windshield Review \ Jan. 14,1998
Scenic Michigan Review
Proposed City of Lansing Billboard Ordinance Revision

Alcohol:

Amstel (1)
Canadian Mist Whiskey (1)
Kessler Whiskey (5)
Labatts Blue (3)
Southern Comfort (1)

Banking \ Financing:

Citizens Bank (10)
Common Point Mortgage (4)
Community First Bank (4)
Lansing Auto Makers Credit Union (8)

Commercial:

Auto Sales \ Service:

Campus Ford (2)
Capitol Cadillac (2)
Kelly Jeep (5)
Liskey's Repair (1)

Insurance:

Auto Owners (1)
Citizens (17)
State Farm (1)

Home Improvement:

Vankunkel \ Design Build (2)

Other Commercial:

Belens Flowers (1)
Casino (1)
Curtis Drugs (1)
Deja Vu Love Boutique (1)
Douglas J (1)
Employment Group (1)
Eydes(1)
Heet Motor Additive (2)
Jon Anthonys (4)
Kositcheks Men \ Womens Clothing (3)
Lansing Mall (9)
Linn Camera (1)
Michigan Apples (4)

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Other Commercial :con` t

Milk (11)
Old Town (2)
Pawnbrokers (7)
Radio Shack (1)
Sam, Peter and Ben (1)
Vidio to Go (1)
ZOZ (1)

Communications:

Century Cellunet (1)

Gas:

Mobil (3)
Sinoco (3)

Government Programs \ Ser.:

Air Force (7)
Drive Smart (3)
Field of Ice (1)
Lansing City Market (2)
Potter Park Zoo (3)
United States Marines (11)
911 (1)

Education Programs \ Ser.:

Greater Lansing Catholic Education Foundation (5)
Holt Adult Education (1)
Impressions Five Museum (1)
Lansing Community Collage (4)
M.S.U (2)
R E OLDS Mus. (1)
Skill Tech (1)
Woldumar (1)